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09/582,874	07/06/2000	TOSHIHIDE HAMAGUCHI	80283(302746)	3201
21874	7590	02/18/2009		
EDWARDS ANGELL PALMER & DODGE LLP			EXAMINER	
P.O. BOX 55874			AU, SCOTT D	
BOSTON, MA 02205				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TOSHIHIDE HAMAGUCHI
And
HIROKAZU GENNO

Application No. 09/582,874
Technology Center 2600

Mailed: February 18, 2009

Before PAMELA S. BENNETT, *Review Team Paralegal*.
BENNETT, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on February 9, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S ANSWER, HEADINGS

A review of the file indicates that the Examiner's Answer filed February 14, 2006 does not comply with the guidelines provided in the *Manual of Patent Examining Procedure* (MPEP) (Eighth Edition, Rev. 4, October 2005) § 1207.02 because it does not contain all of the required heading items. Specifically, the Examiner's Answer is missing the heading "(1) *Real party in interest*."

CONCLUSION

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) to issue a PTOL-90 which corrects the Examiner's Answer mailed February 14, 2006 by providing the "(1) Real party in interest"; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

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